

67C.143 Removal of elected officers of consolidated local government -- Hearing -- Vote of council -- Appeal -- Restrictions on eligibility for office or appointment following removal.

- (1) Unless otherwise provided by law, any elected officer of a consolidated local government in case of misconduct, incapacity, or willful neglect in the performance of the duties of his or her office may be removed from office by the legislative council, sitting as a court, under oath, upon charges preferred by the mayor or by any five (5) members of the legislative council, or, in case of charges against the mayor, upon charges preferred by not less than ten (10) members of the legislative council. No legislative council member preferring a charge shall sit as a member of the legislative council when it tries that charge.
- (2) No elected officer shall be removed without having been given the right to a full public hearing.
- (3) A decision to remove a mayor, legislative council member, or appointee to a board or commission shall require a vote of two-thirds (2/3) of the total number of legislative council members.
- (4) Any elected officer removed from office under the provisions of this section may appeal to the Circuit Court and from there to the Court of Appeals. The appeal to the Circuit Court shall be taken and tried in the same manner as civil cases are tried.
- (5)
 - (a) No elected officer removed from office under this section shall be eligible to fill the office vacated before the expiration of the term to which the elected member was originally elected.
 - (b) Any appointee to a board or commission removed under this section shall not be eligible for:
 1. The office from which he or she was removed before five (5) years following the date of his or her removal from that office; or
 2. Appointment to a board or commission described in KRS 67C.103(13)(f) before five (5) years following the date of his or her removal from that office.

Effective: June 29, 2017

History: Amended 2017 Ky. Acts ch. 150, sec. 6, effective June 29, 2017. -- Created 2002 Ky. Acts ch. 346, sec. 3, effective July 15, 2002.